



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,846	10/19/2000	Courtney C. Konopka	66161	6249

22242 7590 03/19/2002

FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

EXAMINER

EDOUARD, PATRICK NESTOR

ART UNIT PAPER NUMBER

2654

DATE MAILED: 03/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/692,846Applicant(s)
KONOPKA ET ALExaminer
PATRICK N. EDOUARDArt Unit
2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 3, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 26-56 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 26-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

Art Unit: 2644

DETAILED ACTION

1. This Office Action is in response to communication filed 1/3/02 (paper #4). Claims 1-17 and new claims 26-56 are pending. Claims 18-25 are canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claim 17 is rejected under 35 U.S.C. 102(e) as being anticipated by Zuberec et al (6,298,324).

Zuberec et al teach a method of speech recognition comprising: searching for an attention word based on a first context including a first set of grammar models (figure 3, col. 4, lines 42+)

switching upon finding the attention word to a second context to search for an open-ended user request, wherein second context includes a second set of models, grammar and lexicons (abstract, col. 4, lines 42+).

Art Unit: 2644

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wyard et al (Spoken Language System-beyond prompt and response) in view of Giuliani et al (Hands free Continuous Speech Recognition in Noisy Environment Using a Four Microphone Array).

Wyard et al teach a natural language interface control system for operating a plurality of devices comprising:

"feature extraction module coupled to the first microphone"(his speech recognizer"

"a speech recognition module coupled to the speech recognition module; (His speech recognizer, page 193, his components of a spoken language system)and

"a device interface coupled to the natural interface module, wherein the natural language interface module is for operating a plurality of devices coupled to the device interface based upon non- prompted, open-ended natural language request from a user"(his prolog database, page 186, his system is based on a non-prompted to allow users to express their requirements more directly).

Art Unit: 2644

It is noted that Wyard et al teach the claimed invention but not explicitly teach a 3 dimensional microphone array. However, this feature is well known in the art as evidenced by Giuliani et al who teach a four microphone array. Therefore, one of ordinary skill in the art at the time invention was made would have it obvious to incorporate a four microphone array as taught by Giuliani into the natural language as taught by Wyard because it would improve the signal quality in a noisy environment (see Giuliani page 860).

As per claim 3, Wyard et al wherein the speech recognition module utilizes an N-gram grammar (page 194, left column, his N-gram model).

As per claims 4 and 22, Wyard et al wherein the natural language interface module utilizes a Probabilistic context free grammar (page 193, right column, his FSN recognizer).

As per claims 20 and 21, Wyard et al teach applying speech recognition to the received attention word...user request (page 193, right column section 4.11 , his HMM language model).

6. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wyard et al (Spoken Language System-beyond prompt and response) in view of Giuliani et al (Hands free Continuous Speech Recognition in Noisy Environment Using a Four Microphone Array) as applied to claim 1 above, and further in view of Armstrong (5,885,002).

It is noted that Wyard et al the claimed invention but does not explicitly teach wherein the natural language interface abstracts each of the plurality of devices into a respective one of a plurality of grammar...plurality of devices. However, this feature is well known in the art as evidenced by Armstrong who teach in figure 16, a natural language interface that can controlled

Art Unit: 2644

multiple devices such as robotic devices and digital controller. Therefore, one having ordinary skill in the art at the time the invention was made would have found it obvious to incorporate into the combination different grammar as taught by Armstrong because it would allow accurate control for each device.

6. Claims 8- 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wyard et al (Spoken Language System-beyond prompt and response) in view of Giuliani et al (Hands free Continuous Speech Recognition in Noisy Environment Using a Four Microphone Array). as applied to claim 1 above, and further in view of Zuberec et al (6,298,324).

It is noted that the combination teach the claimed invention but does not explicitly teach wherein the natural language interface switches grammar, acoustic models of an attention word. This feature is well known in the art as evidenced by Zuberec et al who teach a natural language with switching grammar in figure 3, col. 4, lines 42+. Therefore one of ordinary skill in the art at the invention was made would have found it obvious to incorporate a plurality of grammar and to be able to switch them as taught by Zuberec in the that combination because it would allow one active grammar be used and would result in accurate control of the respective device.

7. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wyard et al (Spoken Language System-beyond prompt and response) in view of Giuliani et al (Hands free Continuous Speech Recognition in Noisy Environment Using a Four Microphone Array) as applied to claim 1 above, and further in view of Muhling (5,878,394).

Art Unit: 2644

It is noted that the combination teaches the claimed invention but does not explicitly teach a remote unit containing the first microphone, the speech recognition and the natural language. However, this feature is well known in the art as evidenced by Muhling who teaches a speech control remote control. Therefore, one of ordinary skill in the art at the time the invention was made would have it obvious to recognize that the system of the combination could be a remote control as taught by Muhling because it would be a speech controlled remote control that would render the interface system more versatile.

Claims 26-54 are the same in scope and content as claims 1-17 and therefore are rejected under the same rationale

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 308-9051, (for formal communications intended for entry) Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).

Art Unit: 2644

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The examiner can normally be reached on Tuesday-Friday from 07:30 a.m.-6:00 p.m.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen, can be reached on (703) 305-4386.

The facsimile phone number for this Art Unit is (703) 872-9314. Alternatively, facsimile messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice mailbox (telling the examiner that a fax was received) and be automatically printed (i.e. - no delay by the examiner).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

March 7, 2002


PATRICK N. EDOUARD
PATENT EXAMINER